

GOLDBERGER & DUBIN, P.C

ATTORNEYS AT LAW
401 BROADWAY, STE 306, NEW YORK, NY 10013
(212) 431-9380
www.goldbergerdubin.com

PAUL A. GOLDBERGER*
LAWRENCE A. DUBIN*§
EDGAR L. FANKBONNER*

* MEMBER OF NY BAR
§ MEMBER OF NJ BAR

February 24, 2025

Hon. Margaret M. Garnett
United States District Judge
Southern District of New York
40 Foley Square
Room 2102
New York, NY 10007

Re: De Sangosse Agroquimica LTDA v. JDGU Inv. LLC et al.
Civ. No. 23-10771

UNOPPOSED REQUEST FOR EXTENSION OF TIME
TO FILE MOTION FOR SUMMARY JUDGMENT

Dear Judge Garnett:

I represent defendants Juan Diego Gonzalez Urdaneta and JDGU Inv., LLC in the above-referenced matter.

The Court previously set a deadline of today for the parties to submit their respective Motions for Summary Judgment.

I anticipated completing our Motion and filing it by today but I am now engaged in a trial in the U.S. District Court for the Eastern District of New York ("EDNY") before the Hon. Natasha C. Merle in the matter of *Correa v. Escobar-Restrepo*, 1:24-cv-07951-NCM-TAM. It was the parties' hope that the EDNY matter would not proceed to trial but ultimately no resolution short of trial was possible, and I have spent the past several days steeped in trial preparation and will have spent all of today and Wednesday on trial.

For these reasons, I respectfully request a one-week extension of time, to March 3, 2025, of Respondent's time to file his Motion for Summary Judgment.

I communicated my intention to file this request to attorney Zalman Kass of the firm of Barakat & Bossa, counsel for Plaintiff, and Mr. Kass advised that Plaintiff has no objection to this one-week extension of time in which to file.

Based on the foregoing, I respectfully request that the Court grant an extension of our time to file to March 3, 2025.

Respectfully submitted,

/s/ Edgar Loy Fankbonner

Edgar Loy Fankbonner
Goldberger & Dubin, PC
401 Broadway, Suite 306
New York, New York 10013
Tel.: (212) 431-9380
Email.: fankbonner@gmail.com
Attorneys for Respondent

CERTIFICATE OF SERVICE

On February 24, 2025, I caused the foregoing submission to be served on all parties to this action by uploading a true and correct copy thereof to the Court's ECF filing protocol, to which all parties are subscribed, including the following:

Barakat & Bossa
Attorneys for Plaintiff
201 Alhambra Circle, Suite 1060
Coral Gables, Florida 33134

Dated: February 24, 2025
New York, New York


/s/ Edgar Loy Fankbonner
Edgar Loy Fankbonner
401 Broadway, Suite 306
New York, New York 10013
Tel.: (212) 431-9380
Email.: fankbonner@gmail.com

Application GRANTED. However, Mr. Fankbonner is strongly admonished for failing to timely request an extension, especially since he was surely well aware of this ongoing trial and could have anticipated this issue and raised it with the Court. This failing is a continuation of past dilatory behavior, such as Mr. Fankbonner failing to appear entirely at scheduled appearances before this Court, which is a waste of Plaintiff's and the Court's time and resources. Further, per the Statement of Material Facts filed by Plaintiff (Dkt. No. 100), Mr. Fankbonner has not met and conferred regarding or joined in what should be a Joint Statement of Material Facts, pursuant to the Court's Individual Rules & Practices. Mr. Fankbonner makes no mention of this in his letter.

The summary judgment briefing schedule shall be ADJOURNED as follows: Defendants Juan Diego Gonzalez Urdaneta and JDGU Investments, LLC shall file their summary judgment motion, no later than **March 3, 2025**. The parties shall also meet and confer prior to that date, and file a revised Joint Statement of Material Facts, pursuant to the Court's Individual Rules & Practices, no later than **March 3, 2025**. Oppositions to the summary judgment motions shall be due no later than **March 31, 2025**. Replies in support of the summary judgment motions shall be due no later than **April 14, 2025**.

The above dates are firm and shall not be adjourned pending extraordinary and extenuating circumstances which could not be known as of the date of this Order. Future untimely requests from Mr. Fankbonner that are not made pursuant to the Court's Individual Rules & Practices, which require such requests to be made at least two business days prior to a date or deadline, will be denied on the basis of their untimeliness alone. Moreover, Mr. Fankbonner is hereby warned that future failures to meet deadlines or comply with the Court's orders could subject him to sanctions.

SO ORDERED. Date: 2/25/2025.


HON. MARGARET M. GARNETT
UNITED STATES DISTRICT JUDGE